IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

THURSDAY, THE 5TH JULY 2007 / 14TH ASHADHA 1929

CRP.No. 1121 of 2003()

AGAINST THE ORDER DATED 31/03/2003 IN IA.303/2003 IN AS.37/2003 of ADDL. DISTRICT COURT, THALASSERY

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REVN. PETITIONER: PETITIONERS/APPELLANTS

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1. JASMIN TEXTILES REP.BY ITS MANAGING PARTNER, KOTIYIL MUSTHAFA HAJI, S/O. CHERIYA MAMMAD KUNHI HAJI, AGED 54 YEARS, JASMIN TEXTILES, TALIPARAMBA.

2. KOTTIYIL MUSTHAFA HAJI S/O. CHERIYA MAMAD, KUNHI HAJI, AGED 54 YEARS, JASMIN TEXTILES, TALIPARAMBA.

3. KOTTIYIL IBRAHIM KUTTY, S/O. CHERIYA MAMMAD KUNHI HAJI, AGED 50 YEARS, JASMINE TEXTILES, PARTNER, TALIPARAMBA.

4. KOTIYIL MUHAMMED ASHRAF, S/O. CHERIYA MAMMAD KUNHI HAJI, AGED 41 YEARS, PARTNER, JASMIN TEXTILES, TALIPARAMBA.

BY ADV. SRI.GRASHIOUS KURIAKOSE

RESPONDENTS: RESPONDENT/RESPONDENT

KATTAKKULATHIL PUNAKKAL ABDUL MAJEED, S/O. MUHAMMED KUNHI, AGED 28 YEARS, CHERUKUNNU AMSOM, DESOM, RESIDING AT ITTAMMAL.

THIS CIVIL REVISION PETITION HAVING BEEN FINALLY HEARD ON 05/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON C.M.P. NO: 2638/03 IN C.R.P. 1121/03

DISMISSED:

5/7/2007 SD/- M.N.KRISHNAN, JUDGE

jj /TRUE COPY/

P.A. TO JUDGE

M.N.KRISHNAN, J.

C.R.P.No.1121 OF 2003 E

Dated this the 5th July, 2007.

O R D E R

This revision is preferred against the interim order passed in a stay application in A.S.37/03 pending before the Additional District Court, Thalassery. The court below, on a perusal of the judgment of the lower court granted a conditional stay that the appellant shall deposit half of the decree debt and shall furnish security before the lower court for the balance. It is against that the present revision is filed. The decree is for arrears of rent. So, naturally rent has to be paid and the court has almost stated that it is admitted arrears that is to be deposited. Therefore, in modification of the order, I direct the present revision petitioner to deposit Rs.10,000/- (Rupees ten thousand only) more as he had already deposited Rs.25,000/- at the direction of this Court within a period of two months and furnish security for the balance amount. Being a revision of the year 2003 the court below is directed to dispose of the appeal if it is ripen for disposal as early as possible. C.R.P is disposed of accordingly.

M.N.KRISHNAN
Judge

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